

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL E. JAEGER,

Plaintiff,

v.

Case No.: 16-14447
Honorable Gershwin A. Drain

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION (#19), DENYING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT (# 17) AND GRANTING IN PART PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT (# 15) AND REMANDING
ACTION TO THE COMMISSIONER**

This matter is before the court on the parties' Cross-Motions for Summary Judgment as to Plaintiff Michael E. Jaeger's claim for judicial review of Defendant Commissioner of Social Security's denial of his application for disability insurance benefits. The matter was referred to Magistrate Judge David R. Grand, who issued a Report and Recommendation on October 5, 2017, recommending that the Court deny Defendant's Motion for Summary Judgment, grant in part Plaintiff's Motion for Summary Judgment, and remand this matter to the Commissioner for further proceedings. Neither party has filed objections to the Magistrate Judge's Report

and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby ACCEPTS and ADOPTS Magistrate Judge Grand's Report and Recommendation [#19] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary Judgment [#17] is DENIED. Plaintiff's Motion for Summary Judgment [#15] is GRANTED IN PART.

This matter is remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with Magistrate Judge Grand's Report and Recommendation.

SO ORDERED.

Dated: October 31, 2017

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 31, 2017, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk